

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>CRAIG ADAMS, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	4:19-cv-00093
	)	
<b>CITY OF KANSAS CITY, MISSOURI,</b>	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

COME NOW Plaintiffs, Craig Adams and Joseph Knopp (“Plaintiffs”), by and through undersigned counsel pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, and move for partial summary judgment in the above referenced case. There are no genuine issues of material fact that the Defendant violated the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”) because it failed to include all remuneration in the Regular Rate for calculating Plaintiffs’ overtime.

**PLAINTIFFS' STATEMENT OF UNCONTROVERTED FACTS**

1. On October 2, 2020 the parties filed a Joint Stipulation of Fact. *See* Parties’ Joint Stipulation of Fact (Doc. 554), attached hereto as Exhibit 1. The stipulations therein are incorporated herein and in Plaintiffs’ Memorandum of Support of Summary Judgment by reference.
2. The employment relationship between the Plaintiffs and Defendant is governed by the Collective Bargaining Agreement Between City of Kansas City, Missouri

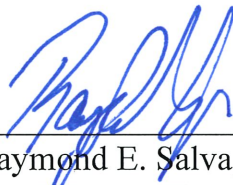
and International Association of Fighters, Local 42 (hereinafter the "CBA"). *See* CBA, attached hereto as Exhibit 2.

3. In March 2018, Plaintiff Adams earned \$6,214.01 per month in base pay. *See* Craig Adams paycheck stub, attached hereto as Exhibit 3.

WHEREFORE, based on the foregoing, Plaintiffs respectfully request that this Court issue an Order granting Plaintiffs' Motion for Summary Judgment on Count I of their Petition for Defendant's violations of the Fair Labor Standards Act and for such other relief as this Court deems just and proper. Plaintiffs' Memorandum in Support of Their Motion for Partial Summary Judgment is filed contemporaneously herewith.

Respectfully submitted,

**BOYD KENTER THOMAS & PARRISH, LLC**



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**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of October, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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